

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**UNITED STATES OF AMERICA,  
ex rel. CAMERON JEHL**

**PLAINTIFF**

**VS.**

**CIVIL ACTION: 3:19-CV-00091-MPM-JMV**

**GGNSC SOUTHAVEN, LLC et al.**

**DEFENDANTS**

**ORDER OF RECUSAL**

During the course of this litigation, this court has had the pleasure of participating with a group of literary-minded Mississippians devoted to promoting and enjoying the culture of this state. Counsel for plaintiff Mr. Lockett, by force of personality, has emerged as a leading member of this group, and, in the course of meetings and other activities of this learned set, what had previously been a warm relationship has become a close friendship, at least in this writer's eyes. Time will tell whether this perception survives this order.

This court has continued to preside over this case for one reason: because it is an exceedingly difficult one with which it did not wish to burden another judge. After careful consideration, however, this court has concluded that this constitutes an insufficient reason to remain in this case, since the guarantee of a hearing before an impartial judge, both in fact and appearance, is a cornerstone of the judicial process. By this assertion, the court does not wish to indicate that it has any less regard for Mississippi counsel for the defendant, Ms. Gratz, for whom the court also has the highest regard. The devil in this context resides in appearances. The public and the parties in this matter are entitled to not only the reality, but also the appearance, of impartiality.

This court has further concluded that this is a good point in which to recuse from this case since, in light of plaintiff's response to the show cause order which it issued, it now finds itself genuinely undecided as to whether this case should go to trial or not. In so stating, this court notes that, while it continues to have grave concerns regarding whether licensing issues such as the ones in this case are best handled by lawsuits from private whistleblowers, it has serious doubts regarding whether its public policy concerns in this regard should figure into the summary judgment analysis at all. Moreover, if this court takes these public policy concerns off the table, then it is left with issues of law as to which, it believes, both sides have a legitimate position in this case.

This court therefore takes this opportunity to clarify that it is completely undecided regarding whether this case should go to trial or not, and that, in its view, whichever judge hears this case should consider himself or herself unburdened by "law of the case" considerations in this regard. With this caveat, this court hereby recuses itself from this case, and direct the Clerk's Office to reassign the case at random.

This, the 12<sup>th</sup> day of August, 2021.

/s/ Michael P. Mills

**UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF MISSISSIPPI**